

FILED
10/3/2017

THOMAS G. BRUTON
CLERK, U.S. DISTRICT COURT

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS

RECEIVED

JUL 27 2017 *in*

THOMAS G. BRUTON
CLERK, U.S. DISTRICT COURT

Serry Michael Plummer

(Enter above the full name
of the plaintiff or plaintiffs in
this action)

vs.

1:17-cv-05531

Judge Virginia M. Kendall

Magistrate Judge M. David Weisman

PC 1

Case No.

(To be supplied by the Clerk of this Court)

(Enter above the full name of ALL
defendants in this action. Do not
use "et al.")

CHECK ONE ONLY:

☒

COMPLAINT UNDER THE CIVIL RIGHTS ACT, TITLE 42 SECTION 1983
U.S. Code (state, county, or municipal defendants)

☐

COMPLAINT UNDER THE CONSTITUTION ("BIVENS" ACTION), TITLE
28 SECTION 1331 U.S. Code (federal defendants)

☐

OTHER (cite statute, if known)

BEFORE FILLING OUT THIS COMPLAINT, PLEASE REFER TO "INSTRUCTIONS FOR FILING." FOLLOW THESE INSTRUCTIONS CAREFULLY.

[If you need additional space for ANY section, please attach an additional sheet and reference that section.]

I. Plaintiff(s):

- A. Name: Jerry Michael Plummer
- B. List all aliases: N/A
- C. Prisoner identification number: B-56117
- D. Place of present confinement: COOK COUNTY JAIL
- E. Address: P.O. Box: 089002, Chicago, IL, 60608

(If there is more than one plaintiff, then each plaintiff must list his or her name, aliases, I.D. number, place of confinement, and current address according to the above format on a separate sheet of paper.)

II. Defendant(s):

(In **A** below, place the full name of the first defendant in the first blank, his or her official position in the second blank, and his or her place of employment in the third blank. Space for two additional defendants is provided in **B** and **C**.)

- A. Defendant: Eddie Johnson
 Title: Chicago Police Superintendent
 Place of Employment: Chicago Police Department
- B. Defendant: Zydek #
 Title: Police officer #5642
 Place of Employment: Chicago Police Department
- C. Defendant: John Doe(s)
 Title: Chicago Police officer(s)
 Place of Employment: Chicago Police Department

(If you have more than three defendants, then all additional defendants must be listed according to the above format on a separate sheet of paper.)

[If you need additional space for ANY section, please attach an additional sheet and reference that section.]

III. List ALL lawsuits you (and your co-plaintiffs, if any) have filed in any state or federal court in the United States:

- A. Name of case and docket number: JERRY MICHAEL PLUMMER VS. INSURANCE COMPANY - Plaintiff can not remember Case No
- B. Approximate date of filing lawsuit: October 2011
- C. List all plaintiffs (if you had co-plaintiffs), including any aliases: N/A
- D. List all defendants: Plaintiff is unable to provide defendant name due to time has elapsed
- E. Court in which the lawsuit was filed (if federal court, name the district; if state court, name the county): NORTHERN DISTRICT
- F. Name of judge to whom case was assigned: Plaintiff can not remember Judge name
- G. Basic claim made: Auto-Accident Injury claim
- H. Disposition of this case (for example: Was the case dismissed? Was it appealed? Is it still pending?): Case was settled out and dismissed
- I. Approximate date of disposition: Plaintiff cant recall disposition

IF YOU HAVE FILED MORE THAN ONE LAWSUIT, THEN YOU MUST DESCRIBE THE ADDITIONAL LAWSUITS ON ANOTHER PIECE OF PAPER, USING THIS SAME FORMAT. REGARDLESS OF HOW MANY CASES YOU HAVE PREVIOUSLY FILED, YOU WILL NOT BE EXCUSED FROM FILLING OUT THIS SECTION COMPLETELY, AND FAILURE TO DO SO MAY RESULT IN DISMISSAL OF YOUR CASE. CO-PLAINTIFFS MUST ALSO LIST ALL CASES THEY HAVE FILED.

[If you need additional space for ANY section, please attach an additional sheet and reference that section.]

IV. Statement of Claim:

State here as briefly as possible the facts of your case. Describe how each defendant is involved, including names, dates, and places. **Do not give any legal arguments or cite any cases or statutes.** If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. (Use as much space as you need. Attach extra sheets if necessary.)

Plaintiff, is being assisted by a detainee, with minimum knowledge of the law but who's minimum knowledge is above plaintiff's knowledge. On July 25th 2015 plaintiff was arrested and beaten by Chicago Police. This arrest was reported falsely by C.P.D in that the false report states that A/O's responded to call of person with a Gun/shots fired in that subject in a white shirt blue jeans and long hair had just shot at a building and at a victim. NO 911 call exist that supports these official(s) reports. These official stated that they arrived and observed male matching description walking W/B into a vacant lot and that A/O's approached and ordered subject to stop. Subject refused to stop and fled on foot. A/O's alleged that they never lost sight of subject A/O 24^{year} #5642 observed subject remove a large chrome handgun from his waistband. This is an untruth, there's no prints belonging to Plaintiff on a gun ^{allegedly} retrieved by these A/O's. No "G.S.R" was ever performed. Plaintiff asserts that multiple law officials jumped out on plaintiff demanding with guns drawn to lay down, after Plaintiff just ran across the street to beat ~~traffic~~ On Coming traffic. These law official(s) reported that they performed a emergency Take down - Plaintiff never had a chance to comply with these arresting officers

[If you need additional space for ANY section, please attach an additional sheet and reference that section.]

these officers became physically abusive. Plaintiff, wasn't doing any thing unusual at the time of his arrest. Plaintiff repeated what was he doing wrong? plaintiff, was told to shut up. And then begin being beaten with batons to the legs and torso. Plaintiff balled into a fetal position and then was ultimately kicked in the head where plaintiff was "knocked Semi-unconscious" and plaintiff, became awoken to being ~~called~~ cuffed and escorted to Jail. Plaintiff later was told that he was being charged with multiple counts, [#](1) UMW, Aggravated Assault/Discharge firearm, Agg Assault PC officer, Battery, Resisting, Obstructing off/corr/emp, and Armed Habitual Criminal. Plaintiff, had a preliminary hearing where in that plaintiff was ultimately charged with [#]8 counts but the state Nolle pros counts 1, 2, 4, 5, 6, 7, 8. The state kept the Armed habitual ^{#3} but later bring all charges back which I have explained to plaintiff that they could. ~~It was not found by the state to be a gun.~~ Plaintiff asserts that a hand gun as Alleged by the police was found but plaintiff asserts that doesn't belong to him, neither was plaintiff in possession of it. They These officer(s) falsified reports and created in these reports an emergency take down. Plaintiff wasn't resisting arrest, Plaintiff wasn't fleeing from law officers, plaintiff was avoiding traffic and jogging on his way home, when these officers, unreasonably assaulted and detainee plaintiff which turned out later reported, a family dispute. Plaintiff asserts that these Law officers violated his 4th and 14th Amendment to the United States Constitution. These officers Superintendent Eddie Johnson, Officer Zydek [#]5642, and officers John

[If you need additional space for ANY section, please attach an additional sheet and reference that section.]

V. Relief:

State briefly exactly what you want the court to do for you. Make no legal arguments. Cite no cases or statutes.

Wherefore plaintiff demands judgement against ~~those~~ defendants with interest for actual and consequential damages, punitive and exemplary damages and these officials penalized by the Force for falsifying reports and Arrest and any other relief deemed by the trier of fact to be just fair and appropriate

VI. The plaintiff demands that the case be tried by a jury. ☒ YES ☐ NO

CERTIFICATION

By signing this Complaint, I certify that the facts stated in this Complaint are true to the best of my knowledge, information and belief. I understand that if this certification is not correct, I may be subject to sanctions by the Court.

Signed this July day of 23, 2017

Jerry Michael Plummer

(Signature of plaintiff or plaintiffs)

Jerry Michael Plummer

(Print name)

20150726007

(I.D. Number)

P.O. Box: 089002

Chicago, IL 60608

(Address)

Doe(s) all have violated plaintiff Constitutional Rights these defendants are in violation of plaintiff 4th, 5th, and 14th Amendment to the United States Constitution and in violation of Article 2, 6, 8, and 12 of the Illinois Constitution and Illinois Supreme Court Rules.

Wherefore, plaintiff, demands judgement against these defendants with interest for actual and consequential damages, Punitive and exemplary damages and that these officials be penalized by the Police force for falsifying reports and arrest and any other relief deemed by the trier of fact to be just fair and appropriate.

Respectfully Submitted
Sign x Jerry Michael Plummer
Print Jerry Michael Plummer

P.O. Box 089002

Chicago IL 60608

Dated 7-23-17

Jerry Micheal Plummer #20150726067
Div 10 3c
P.O. Box: 089002
Chicago, IL, 60608



1:17-cv-05531
Judge Virginia M. Kendall
Magistrate Judge M. David Weisman
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07/27/2017-36

2017 JUL 27 AM 11:50
CLERK
U.S. DISTRICT COURT

United States District Court
219 S. Dearborn Street 20th Floor
Chicago, IL, 60604

